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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MARK VOELKER,)	Cause No. 9:18-CV-172-DLC
)	
Plaintiff,)	
)	VOELKER’S FIRST MOTION
vs.)	FOR RELIEF FROM
)	PROTECTIVE ORDER
BNSF RAILWAY COMPANY,)	
a Delaware corporation,)	
)	
Defendant.)	

COMES NOW Plaintiff Mark Voelker, by and through his undersigned attorneys, respectfully moves this Court for relief from the parties’ stipulation for

protective order that was executed, but not filed in this case. Specifically, Voelker's counsel moves the Court to permit him to disclose portions of the Deposition of Derek Cargill that BNSF has designated as confidential to counsel for the plaintiff in *English v. BNSF Ry. Co.*, 4:18-CV-77.

In bringing this motion, Voelker's counsel certifies that he has conferred with counsel for Defendant BNSF Railway Company in a good-faith effort to resolve the dispute without Court action, and that such efforts have been unsuccessful. Further, pursuant to D. Mont. L.R. 7.1(c)(1), counsel for the railroad have been contacted and conveyed that they object to this motion.

Respectfully Submitted,

Dated: February 19, 2021

/s/ William G. Jungbauer

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